

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

SCIELE PHARMA, INC., et al.,

Plaintiffs,

v.

LUPIN, LTD, et al.,

Defendants.

Civil No. 09-37 (RBK/JS)

SHIONOGI PHARMA, et al.,

Plaintiffs,

v.

MYLAN, INC., et al.,

Defendants.

Civil No. 10-135 (RBK/JS)

AMENDED SCHEDULING ORDER

This Scheduling Order confirms the directives given to counsel during the telephone status conference on December 14, 2011; and the Court noting that counsel for all parties appeared.

IT IS this **16th** day of **December, 2011**, hereby **ORDERED**:

1. The time within which to seek amendments to the pleadings or to add new parties will expire **January 30, 2012**.

2. All Fed. R. Civ. P. 30(b)(6) deposition notices shall be served by **February 6, 2012**.

3. The deadline for N.J.L. Patent R. 3.8 disclosures of reliance on advice of counsel concerning any patent-related claim or defense is **February 29, 2012**.

4. The deadline to amend contentions as of right is **February 29, 2012**.

5. Pretrial factual discovery is hereby extended to **April 16, 2012**. All pretrial fact discovery shall be concluded by that date. All discovery motions and applications shall be made before the expiration of pretrial factual discovery.

6. All parties with the affirmative burden of proof on an issue shall serve expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) by **June 18, 2012**. Responsive expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) shall be served by **June 30, 2012**. Each such report should be accompanied by the curriculum vitae of the proposed expert witness. No expert opinion testimony shall be admitted at trial with respect to any witness for whom this procedure has not been timely followed. Depositions of proposed expert witnesses shall be concluded by **August 10, 2012**.

7. **Dispositive Motions.** Dispositive and Daubert motions shall be filed with the Clerk of the Court no later than **September 10, 2012**, in accordance with the applicable Federal and Local Rules of Civil Procedure.

8. At least (1) week prior to the next scheduled conference, the parties shall send the Court a letter identifying all discovery disputes. All outstanding discovery issues not raised shall be deemed waived.

9. The Court will conduct an in-person status conference on **April 5, 2012 at 11:00 a.m.** **The in-person status conference will be changed to a phone conference if minimal or no discovery disputes need to be addressed.**

THE FAILURE OF A PARTY OR ATTORNEY TO OBEY THIS ORDER MAY RESULT IN IMPOSITION OF SANCTIONS UNDER FED. R. CIV. P. 16(f).

s/ Joel Schneider
JOEL SCHNEIDER
United States Magistrate Judge